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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/665,793
	Filing Date	September 19, 2003
	First Named Inventor	Edward J. Kaplan
	Art Unit	1616
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	KAP 100 CIP

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Executed Declaration for Patent Application; Statement Under 37 CFR 3.73(b); Supplemental Application Data Sheet; Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Certificate of Mailing is to:	
	MAIL STOP MISSING PARTS	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Patrea L. Pabst, Esq., Reg. No. 31,284 Holland & Knight LLP Suite 2000, One Atlantic Center, 1201 West Peachtree Street, N.E.; Atlanta, GA 30309-3400
Signature	
Date	December 31, 2003

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Jean Hicks
Signature	Jean Hicks
Date	December 31, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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KAP 100 CIP - 081161/00007



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Edward J. Kaplan

Serial No.: 10/665,793

Group Art Unit: 1616

Filed: September 19, 2003

Examiner: Not yet assigned

For: *FLEXIBLE AND/OR ELASTIC BRACHYTHERAPY SEED OR STRAND*

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450\

**RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF NONPROVISIONAL APPLICATION  
AND TRANSMITTAL OF FORMAL DRAWINGS**

Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application, mailed December 11, 2003, Applicant encloses the following for filing in the above-identified application:

1. Declaration for Patent Application executed by Edward J. Kaplan;
2. Power of Attorney and Correspondence Address Indication Form executed by Edward J. Kaplan on behalf of Microspherix LLC;
3. Statement Under 37 C.F.R. § 3.73(b) executed by Edward J. Kaplan on behalf of Microspherix LLC, with attached copy of the executed Assignment from Edward J. Kaplan to Microspherix LLC;
4. Six (6) sheets of formal drawings;

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5. Supplemental Application Data Sheet showing (a) the number of formal drawing sheets submitted; (b) the attorney docket number; (c) the correct name of assignee Microspherix LLC; and (d) the correct serial number for Application Two under "Continuity Information", which number appears transposed on the Official Filing Receipt mailed December 11, 2003;

6. Fee Transmittal; and

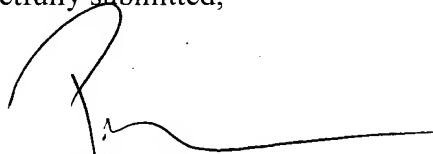
7. Check in the amount of \$65.00 for the small entity surcharge for late filing the Declaration for Patent Application.

This application is entitled to claim small entity status pursuant to 37 C.F.R. § 1.27.

Applicant also encloses a copy of the Notice to File Missing Parts of Nonprovisional Application, mailed December 11, 2003.

The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment in connection with this matter, to Deposit Account No. 50-1868.

Respectfully submitted,



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Patrea L. Pabst  
Reg. No. 31,284

Date: December 31, 2003

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